



County of Los Angeles
CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

July 12, 2011

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS:
HELEN KELLER PARK COMMUNITY BUILDING PROJECT
ADOPT MITIGATED NEGATIVE DECLARATION
APPROVE REVISED PROJECT BUDGET
APPROVE APPROPRIATION ADJUSTMENT
AWARD DESIGN-BUILD CONTRACT
SPECS. 6858; CAPITAL PROJECT NO. 69554
(SECOND DISTRICT) (3 VOTES)**

SUBJECT

Approval of the recommended actions will adopt the environmental document, approve the appropriation adjustment, and authorize the Department of Public Works to execute a design-build contract with Soltek Pacific Construction Company for completion of the Helen Keller Park Community Building Project.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Consider the Mitigated Negative Declaration for the Helen Keller Park Community Building Project together with any comments received during the public review process, find that the Mitigated Negative Declaration reflects the independent judgment and analysis of your Board, adopt the Mitigation Monitoring and Reporting Program, finding that it is adequately designed to ensure compliance with the mitigation measures during Project implementation, find on the basis of the whole record before your Board that there is no substantial evidence that the Project will have a significant effect on the environment, and adopt the Mitigated Negative Declaration.

"To Enrich Lives Through Effective And Caring Service"

***Please Conserve Paper – This Document and Copies are Two-Sided
Intra-County Correspondence Sent Electronically Only***

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

19 July 12, 2011

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

2. Approve the revised total Project budget of \$6,661,000 for the Helen Keller Park Community Building Project, Capital Project No. 69554.
3. Approve the appropriation adjustment to transfer \$2,529,000 from the completed Helen Keller Park General Improvements Project, Capital Project No. 86427, to fund the Helen Keller Park Community Building Project, Capital Project No. 69554.
4. Find that Soltek Pacific Construction Company is the Responsive and Responsible Bidder that submitted the most advantageous and best value proposal for design and construction of the Helen Keller Park Community Building Project, based on the criteria stated in the Request for Proposals, including qualifications, technical design, construction expertise, proposed delivery plan, price, skilled labor force availability, acceptable safety record, and life cycle cost.
5. Award and authorize the Director of Public Works to execute a design-build contract to Soltek Pacific Construction Company to provide design and construction services for a maximum of \$4,110,200, which includes a design completion allowance of \$500,000, subject to receipt of an acceptable and approved Faithful Performance Bond, a Payment for Labor and Materials Bond, and evidence of required contract insurance filed by the design-build entity.
6. Authorize the Director of Public Works to control the use of the design completion allowance of \$500,000, including the authority to reallocate the allowance into the contract sum, as appropriate, to resolve cost issues with Soltek Pacific Construction Company that are identified during the design phase of the Project, such as changes required by jurisdictional agencies or changes resulting from unforeseen conditions, including related construction-phase impacts.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will adopt the Mitigated Negative Declaration (MND), approve the appropriation adjustment, and award a design-build contract to Soltek Pacific Construction Company (Soltek) to complete design and construction of a replacement community building at Helen Keller Park.

The existing community building at Helen Keller Park was constructed in the early 1960s. The building contains hazardous materials and it is not compliant with the Americans with Disabilities Act (ADA) requirements. In addition, the building has exceeded its useful life. To address these issues, the existing building will be demolished and replaced with an approximately 4,500-square-foot ADA compliant community building. The Project also includes demolition of the two existing parking

lots by the community building and swimming pool, design and construction of two new parking lots, a retaining wall, side walk, and irrigation improvements as necessary, and relocation of the existing playground.

Project Delivery

On April 17, 2007, your Board approved an architect/engineer (A/E) agreement with RMCA Architecture Design Planning Inc. (RMCA) to provide design and engineering services for the Helen Keller Park Community Building Project for a not-to-exceed fee of \$315,668.

During the schematic design of the Helen Keller Park Community Building Project, it was decided to proceed with design-build delivery method rather than design-bid-build method as originally planned. Reducing full design services to design-build scoping documents was in the best interest of the County and the most viable solution for delivering the Project. On December 29, 2009, the revised Supplemental Agreement 2 to RMCA's A/E contract was executed to reduce the full service scope and the contract amount by \$168,000 from \$315,668 to \$147,598, which includes \$76,630 for review of performance specifications, assistance during the design-builder selection, and support during construction.

On July 7, 2010, the design-build Request for Proposal (RFP) was advertised, and 11 proposals were received. An Evaluation Committee (Committee) comprised of staff from the Department of Public Works (Public Works), Chief Executive Office (CEO), and the Department of Parks and Recreation (Parks) reviewed and scored each proposal based on the criteria categories outlined in the RFP. Soltek was found to be the most advantageous, best-value design-build proposer to perform the design and construction services for this Project.

Design-Build Contract and Design Completion Allowance

Soltek submitted a base price proposal of \$3,610,200, based on delivery of the Project as specified in the RFP. The base contract amount of \$3,610,200, plus the design completion allowance of \$500,000, results in a maximum, not-to-exceed contract sum of \$4,110,200.

The contract's design completion allowance of \$500,000 is intended to facilitate the resolution of issues identified only during the design phase of the Project, including those concerning the County's scoping documents, changes required by jurisdictional agencies, or due to unforeseen conditions. The use of the design completion allowance will be controlled by Public Works in conjunction with the CEO. The design completion allowance shall not be used to fund the resolution of issues, conditions, or changes encountered during the construction phase.

Sustainable Design Program

In support of your Board's Sustainable Design Program, the proposed Project will incorporate necessary sustainable design features to attain the U.S. Green Building Council's Leadership in Energy and Environmental Design's Gold certification. The proposed Project may include features such as energy efficient light fixtures, water-efficient fixtures that reduce water consumption, energy management control system for the building's heating, ventilation, and cooling system, low-emission construction materials, diversion of construction waste from landfills through recycling, and building products made from regional and rapidly renewable materials.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1) through fiscal responsibility, service excellence, and organizational effectiveness by investing in public infrastructure that will provide an efficient workplace environment to better serve the local community and County residents.

FISCAL IMPACT/FINANCING

The total Project cost, including plans and specifications, plan check, construction, change orders, Civic Art fee, equipment, consultant services, miscellaneous expenditures, and County services, is \$6,661,000. The Project Schedule and Budget Summary are included in Attachment A.

Approval of the attached appropriation adjustment (Attachment C) will authorize the transfer of \$2,529,000 from the completed Helen Keller General Improvements Project, Capital Project No. 86427 to Helen Keller Park Community Building Project, Capital Project No. 69554, to fund the Project.

Upon your Board's approval of the appropriation adjustment, funding for the Project of \$6,529,000 will be available, including \$4,000,000 of Second District Capital Improvement net County cost, \$1,636,000 of net County cost allocated for enhanced unincorporated area services (Proposition 62), \$800,000 of prior year net County cost, and \$93,000 of Second District Economic Development Fund. The remaining Project cost of \$132,000 will be funded from the cancellation of Fiscal Year (FY) 2010-11 encumbrances of the recently completed Helen Keller General Improvements Project, Capital Project No. 86427, and will be appropriated in FY 2011-12 Final Supplemental Resolution to fully fund the Project.

Operating Budget Impact

Following completion of the Project, Parks will maintain the new amenities and improvements. Parks anticipates a one-time start up cost of approximately \$283,000 for office, kitchen, computer lab, and community room equipment and furnishings; and ongoing annual operating costs of approximately \$180,000 for recreation and maintenance staff, utilities, security, and various office and custodial supplies and equipment. Parks will work with CEO to determine the appropriate level of funding and request the one-time and ongoing funds in Parks' Fiscal Year (FY) 2012-13 New Facilities budget request.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The contract contains terms and conditions supporting your Board's ordinances and policies, including, but not limited to: County Code Chapter 2.200, Child Support Compliance Program; County Code Chapter 2.202, Contractor Responsibility and Debarment; County Code Chapter 2.206, Defaulted Property Tax Reduction Program; Board Policy 5.050, County's Greater Avenues for Independence and General Relief Opportunities (GAIN/GROW); Board Policy 5.060, Reporting of Improper Solicitations; Board Policy 5.110, Contract Language to Assist in Placement of Displaced County Workers; and Board Policy 5.135, Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law).

As required by your Board, language has been incorporated into the Project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees, that they may be eligible for the Federal Earned Income Credit under the Federal income tax law (Federal Income Tax Law, Internal Revenue Service Notice 1015).

The Project cost includes 1 percent of design and construction costs to be allocated to the Civic Art Fund per your Board's Civic Art Policy adopted on December 7, 2004, and subsequently amended.

ENVIRONMENTAL DOCUMENTATION

An Initial Study/MND was prepared for this Project in compliance with the California Environmental Quality Act (CEQA). The initial study identified less than significant impacts with implementation of mitigation measures for air quality, biological resources, and cultural resources. The required mitigation measures have been included in the Project requirements. The Mitigation Monitoring and Reporting Program requirements have been incorporated in the Project documents.

Public notice was published in the Los Angeles Daily News on February 14, 2011, pursuant to Public Resources Code Section 21091.3. Comments were received from three public agencies. No substantial comments or changes to MND were made.

The location of the documents and other materials constituting the record of the proceedings upon which your Board's decision is based in this matter, is the County of Los Angeles Department of Public Works, Project Management Division II, 900 South Fremont Avenue, Fifth Floor, Alhambra, California 91803. The custodian of such documents is Mr. James F. Kearns.

The Project is not exempt from payment of a fee to the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. Upon your Board's adoption of the MND, Public Works will file a Notice of Determination in accordance with Section 21152(a) of the California Public Resources Code and pay the required filing and processing fees with the Registrar-Recorder/County Clerk in the amount of \$2,094.

CONTRACTING PROCESS

A standard design-build contract, in the form previously approved by County Counsel, will be used. The standard Board-directed clauses that provide for contract termination, renegotiation, and hiring qualified displaced County employees will be included in the contract.

On July 7, 2010, the RFP for design-build services was advertised in the County's Doing Business with Us website.

The first phase of the RFP process was the release of prequalification questionnaires (Part A). On August 19, 2010, 18 completed prequalification questionnaires were received for evaluation. The completed questionnaires were evaluated by Public Works' Contract Administration based on responses to questions concerning the business type and ownership of each design-build entity, evidence of the design-builder's experience, and capacity to perform projects of similar size and complexity, licenses, registration, credentials, violations of State and Federal labor codes and safety regulations, debarment, default bankruptcy, lawsuits on Public Works' projects in the past five years, and other relevant criteria. Based on the review and evaluation of the prequalification questionnaires, all 18 submissions were determined to be prequalified and teams were invited to submit proposals under Part B, Technical and Cost Proposal.

Throughout the duration of the Part B preparation, site visits, as well as individual meetings, were conducted with all teams in order to provide ample project access and information to the proposers to assist them in compiling informed, thorough, and

competitive proposals to meet the County's needs. On November 1, 2010, 11 design-build proposals were received. The technical and cost proposals were evaluated by the evaluation committee based on technical design and construction expertise, proposed delivery plans, price, life cycle costs, skilled labor force availability, acceptable safety record, and design-build team personnel and organization. Final ranking of the proposers is listed in Attachment B. Soltek was found to have submitted the most advantageous and the best value proposal to perform these services in accordance with the evaluation criteria stated in the RFP. These evaluations were completed without regard to race, creed, color, or gender.

Soltek's participation data and three-year contracting history with the County are on file with Public Works.

Local Worker Program

In order to increase participation of qualified local residents who live within a 15-mile radius of Helen Keller Park, the same Local Worker Program (Program) for Job Order Contracts as authorized by your Board on December 8, 2009, has been incorporated into the Project's scoping documents.

The Program is designed to reduce commuting distances from home to work site, which will in turn reduce traffic congestion, pollution, release of greenhouse gases, and commuter stress. In addition, the Program is intended to enhance a sense of community pride and identity among local workers and their neighbors arising out of local workers' efforts to improve the appearance and functionality of local public facilities.

The Program's objective is not intended to discriminate against, or give preference to, any particular group based on race, color, gender, sexual orientation, or disability, but to give work opportunities to qualified local residents where capital projects are being developed. Except to the extent that State or Federal laws or regulations mandate to the contrary, the Program's provisions will apply to the Project.

For the purpose of this Project, an aspirational goal has been established under the Program that 40 percent of the construction labor hours worked by California residents on the Project will be worked by qualified local workers. A worker will be considered local for this Project if he/she resides within a 15-mile radius of the Project site.

Monitoring of the Program will be provided by Public Works' Architectural Engineering Division, Contract Administration Section, based on review of certified payroll records provided by the contractors. These records will be monitored with regard to hours worked and zip code of the workers to establish the percentage of total work performed by local workers on the Project.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Construction activities will be performed in phases to minimize impact on current activities.

CONCLUSION

Please return one adopted copy of this letter to the Chief Executive Office, Capital Projects Division; Arts Commission; and the Department of Public Works, Project Management Division II.

Respectfully submitted,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF:RLR:DJT
SW:CV:zu

Attachments

- c: Executive Office, Board of Supervisors
- County Counsel
- Auditor-Controller
- Arts Commission
- Parks and Recreation
- Public Works

July 12, 2011

ATTACHMENT A

**DEPARTMENT OF PUBLIC WORKS:
HELEN KELLER PARK COMMUNITY BUILDING PROJECT
ADOPT MITIGATED NEGATIVE DECLARATION
APPROVE REVISED PROJECT BUDGET
APPROVE APPROPRIATION ADJUSTMENT
AWARD DESIGN-BUILD CONTRACT
SPECS. 6858; CAPITAL PROJECT NO. 69554
(SECOND DISTRICT) (3 VOTES)**

I. PROJECT SCHEDULE

Project Activity	Completion Date
Scoping Documents	06/07/2010*
Design-Build Contract Award	07/12/2011
Design-Build Contract Notice to Proceed	08/11/2011
Construction Substantial Completion	12/31/2012
Project Acceptance	03/28/2013

*Indicates completed activity.

II. PROJECT BUDGET SUMMARY

Budget Category	Project Budget	Impact of this Action	Revised Approved Project Budget
Land Acquisition	0	0	0
Construction			
Design-Build Contract	\$2,479,555	\$1,130,645	\$3,610,200
Design Completion Allowance	\$0	\$500,000	\$500,000
Change Orders	\$250,751	\$99,249	\$350,000
Utility Connection Fees	\$0	\$100,000	\$100,000
Civic Art	\$27,952	\$9,626	\$37,578
Subtotal	\$2,758,258	\$1,839,520	\$4,597,778
Equipment	\$38,804	\$21,196	\$60,000
Plans and Specifications	\$315,668	(\$168,070)	\$147,598
Consultant Services			
Deputy Inspection	\$50,000	\$0	\$50,000
Hazardous Materials	\$10,000	\$20,000	\$30,000
Geotechnical/Soils Test	\$9,000	\$40,000	\$49,000
Material Testing	\$10,000	\$10,000	\$20,000
Cost Estimating	\$10,000	\$0	\$10,000
Topographic Surveys	\$10,000	\$0	\$10,000
Environmental	\$10,944	\$6,781	\$17,725
Subtotal	\$109,944	\$76,781	\$186,725
Miscellaneous Expenditures	\$25,869	\$19,774	\$45,643
Jurisdictional Review/Plan Check/Permit			
Building and Safety Plan Check	\$15,000	\$15,000	\$30,000
Fire Department	\$5,271	\$0	\$5,271
Health Department	\$10,000	\$0	\$10,000
Regional Planning	\$5,000	\$0	\$5,000
Air Quality Management District	\$5,000	\$5,000	\$10,000
Environmental Programs	\$5,000	\$0	\$5,000
Materials Engineering	\$0	\$10,000	\$10,000
Subtotal	\$45,271	\$30,000	\$75,271
County Services			
Code Compliance and Quality Control Inspections	\$179,488	\$295,512	\$475,000
Contract Administration	\$50,000	\$50,000	\$100,000
Project Management	\$396,698	\$476,287	\$872,985
ISD Job Order Contract Management	\$20,000	\$0	\$20,000
ISD ITS Communications	\$20,000	\$0	\$20,000
Project Technical Support	\$20,000	\$20,000	\$40,000
Consultant Contract Recovery	\$20,000	\$0	\$20,000
Subtotal	\$706,186	\$841,799	\$1,547,985
TOTAL	\$4,000,000	\$2,661,000	\$6,661,000

July 12, 2011

ATTACHMENT B

**DEPARTMENT OF PUBLIC WORKS:
HELEN KELLER PARK COMMUNITY BUILDING PROJECT
ADOPT MITIGATED NEGATIVE DECLARATION
APPROVE REVISED PROJECT BUDGET
APPROVE APPROPRIATION ADJUSTMENT
AWARD DESIGN-BUILD CONTRACT
SPECS. 6858; CAPITAL PROJECT NO. 69554
(SECOND DISTRICT) (3 VOTES)**

Proposer ranking from most advantageous to least:

<u>Design-Build Firms</u>	<u>Final Score</u>
1. Soltek Pacific Construction Company	2600
2. Los Angeles Engineering Inc.	2348
3. Camco Pacific	2185
4. Suffolk Construction Company, Inc.	2165
5. Woodcliff Corporation	1936
6. KPRS	1923
7. Bovis Lend Lease, Inc.	1891
8. Novus	1748
9. Facility Builders & Erectors	1589
10. Mallcraft, Inc.	1532
11. New Creation Engineering & Builders, Inc.	1406

The maximum contract sum with Soltek is \$4,110,200, including a base price proposal of \$3,610,200, plus an additional \$500,000 for a design completion allowance under the full control of the County.

July 12, 2011

ATTACHMENT B

**DEPARTMENT OF PUBLIC WORKS:
HELEN KELLER PARK COMMUNITY BUILDING PROJECT
ADOPT MITIGATED NEGATIVE DECLARATION
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(SECOND DISTRICT) (3 VOTES)**

FISCAL YEAR 2011-12

FINANCIAL SOURCES:

Department of Parks & Recreation
Capital Projects/Refurbishments
Helen Keller Park (2)
General Improvements
A01-CP-6014-65043-86427
Fixed Assets – B & I \$2,529,000
Decrease Appropriation

FINANCIAL USES:

Department of Parks and Recreation
Capital Projects/Refurbishments
Helen Keller Park (2)
Community Building
A01-CP-6014-65043-69554
Fixed Assets – B & I \$2,529,000
Increase Appropriation

JUSTIFICATION: Adjustment is necessary to increase the appropriation to fund the Helen Keller Park Community Building project.

COUNTY OF LOS ANGELES

REQUEST FOR APPROPRIATION ADJUSTMENT

DEPARTMENT OF CHIEF EXECUTIVE OFFICE

DEPT'S.
NO. 060

June 20, 2011

AUDITOR-CONTROLLER:

THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. PLEASE CONFIRM THE ACCOUNTING ENTRIES AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF EXECUTIVE OFFICER FOR HIS RECOMMENDATION OR ACTION.

ADJUSTMENT REQUESTED AND REASONS THEREFOR

FY 2011-12

3 - VOTES

SOURCES

Department of Parks and Recreation
Capital Projects/Refurbishments
Helen Keller Park General Improvements Project
A01-CP-6014-65043-86427
Capital Assets - B&I
Decrease Appropriation

USES

Department of Parks and Recreation
Capital Projects/Refurbishments
Helen Keller Park Community Building Project
A01-CP-6014-65043-69554
Capital Assets - B&I
Increase Appropriation

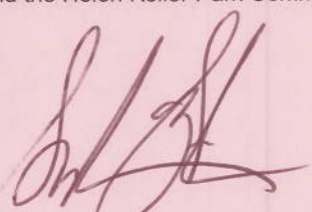
SOURCES TOTAL: \$ 2,529,000

USES TOTAL: \$ 2,529,000

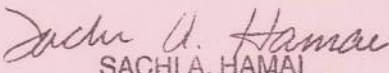
JUSTIFICATION

This appropriation adjustment is necessary to increase the appropriation to fund the Helen Keller Park Community Building Project.

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES


AUTHORIZED SIGNATURE - Sabra White, Manager, CEO

19 JUL 12 2011
BOARD OF SUPERVISOR'S APPROVAL (AS REQUESTED/REVISED)


SACHI A. HAMAI
EXECUTIVE OFFICER

REFERRED TO THE CHIEF
EXECUTIVE OFFICER FOR ---

☐ ACTION

☒ RECOMMENDATION

AUDITOR-CONTROLLER

BY



B.A. NO.

001

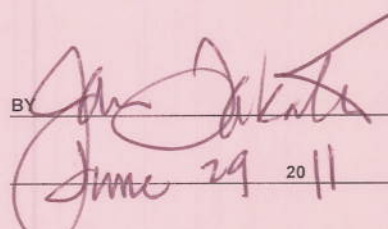
June 22 2011

☒ APPROVED AS REQUESTED

☐ APPROVED AS REVISED

CHIEF EXECUTIVE OFFICER

BY


June 29 2011

SEND 6 COPIES TO THE AUDITOR-CONTROLLER